

### **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-20 in the Application. In a previous response, the Applicants amended Claims 1 and 11, canceled Claims 6 and 16 without prejudice or disclaimer, and substantially incorporated Claims 6 and 16 into Claims 1 and 11, respectively. In the present response, the Applicants have amended Claims 1 and 11 and added Claims 21 and 22. Support for the amendment and added claims can be found, for example, in paragraphs 15 and 17 of the original specification. No claims have been canceled. Accordingly, Claims 1-5, 7-15 and 17-22 are currently pending in the Application.

#### **I. Rejection of Claims 1-2, 5, 7, 9, 11-12, 15, 17, and 19 Under 35 U.S.C. §103**

The Examiner has rejected Claims 1-2, 5, 7, 9, 11-12, 15, 17, and 19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,956,833 to Yukie, *et al.* in view of U.S. Patent No. 6,990,352 to Pyhälammi, *et al.* The Applicants believe the invention as presently claimed, however, is neither shown nor suggested in the cited combination of Yukie and Pyhälammi. More specifically, the Applicants fail to find where the cited combination teaches or suggests a processing server adapted to extract data from an image and arrange the data according to a database format and a database in a mobile telephone that receives and stores the data in the database format as recited in now amended independent Claims 1 and 11.

The Examiner asserts that Yukie's system for wireless storage on a server and data retrieval teaches a processing server 36 and 40 adapted to arrange data according to a format and a database that receives and stores the data according to the format. (*See* Final Rejection electronically

delivered June 22, 2007, page 2.) Claims 1 and 11, however, have been amended to more clearly point out that the data is arranged or sent in a database format and that a database receives and stores the data in a database format. As noted by the Examiner, Yukie in column 6, line 55, through column 7, line 3, teaches that a camera sends image data across a wireless connection to data server 16 for storage as an image file and, further, the camera can encode the image data, such as into JPEG format, or data server 16 can encode the image data after receipt, or the image data can remain in the original format on data server 16. As such, the image data is either in an original format or a JPEG format, but not in a database format as presently claimed.

Additionally, the Applicants fail to find where the image data of Yukie is extracted, but instead Yukie discloses the image data is encoded or left in original format. Therefore, Yukie does not teach a processing server adapted to extract data from an image and arrange the data according to a database format and a database in a mobile telephone that receives and stores the data in the database format as presently recited in amended independent Claims 1 and 11.

Furthermore, Yukie does not suggest the same. Yukie is directed to remotely storing data on a server through a wireless connection instead of storing data locally in a consumer device. A video camera, still camera, laptop computer, or other consumer device which normally stores data in local memory such as film, disk, random access memory, memory sticks, or other forms of storage would transmit the data to a remote server through a wireless connection. The data would be saved on the remote server for subsequent retrieval through, for example, the Internet or a wireless connection to the server. (*See Abstract.*) Thus, Yukie is concerned with remotely storing data rather than storing it on a consumer device. As such, Yukie does not suggest storing data in a database

format in mobile telephone as presently recited in amended independent Claims 1 and 11.

Therefore, Yukie, in view of the amendment, does not teach or suggest a processing server adapted to extract data from an image and arrange the data according to a database format and a database in a mobile telephone that receives and stores the data in the database format and, therefore, does not establish a *prima facie* case of obviousness of presently pending independent Claims 1 and 11. Pyhälammi has not been cited to cure the noted deficiencies of Yukie but to teach a mobile telephone having a camera. (See Final Rejection electronically delivered June 22, 2007, page 2.) Additionally, the Applicants do not find where Pyhälammi cures the noted deficiencies of Yukie in view of the presently pending claims. As such, the cited combination of Yukie and Pyhälammi does not establish a *prima facie* case of obviousness of amended independent Claims 1 and 11 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 1-2, 5, 7, 9, 11-12, 15, 17, and 19 in view of the amendment and allow issuance of the pending claims.

Regarding newly added dependent Claim 21, the cited combination of Yukie and Pyhälammi does not teach or suggest where the data is contact data. As discussed above, the data is image data, not contact data. Regarding newly added dependent Claim 22, the cited combination of Yukie and Pyhälammi does not teach or suggest a method further comprising automatically storing data in a database format in a database of a mobile telephone based upon receipt at a mobile telephone. As discussed above, the data is to be remotely stored, not locally stored.

## **II. Rejection of Claims 3-4, 8, 10, 13-14, 18, and 20 Under 35 U.S.C. §103**

Claims 3 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yukie in view of Pyhälammi and further in view of U.S. Patent Application Publication No. 2003/0211856 to Zilliacus. Claims 4, 8, 14 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yukie in view of Pyhälammi and further in view of U.S. Patent Application Publication No. 2003/0087650 to Aarnio. Claims 10 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yukie in view of Pyhälammi and further in view of U.S. Patent Application Publication No. 2003/0181200 to Iida.

As established above, the cited combination of Yukie and Pyhälammi does not establish a *prima facie* case of obviousness of presently amended independent Claims 1 and 11. Zilliacus, Aarnio, or Iida have not been cited to cure the above noted deficiencies of the cited combination of Yukie and Pyhälammi but to teach the subject matter of the above-mentioned dependent Claims. Additionally, the Applicants do not find where Zilliacus, Aarnio, or Iida cures the above noted deficiencies of the cited combination of Yukie and Pyhälammi. As such the cited combination of Yukie and Pyhälammi with Zilliacus, Aarnio, or Iida does not establish a *prima facie* case of obviousness of presently amended independent Claims 1 and 11 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 3-4, 8, 10, 13-14, 18, and 20 and allow issuance of the pending claims.


### **III. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-5, 7-15 and 17-22.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC



J. Joel Justiss  
Registration No. 48,981

Dated: August 22, 2007

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800